

**ORIGINAL**

ROPES & GRAY LLP  
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New York, NY 10036-8704  
(212) 596-9000

**ORIGINAL**

Attorneys for Third-Party Defendant  
Liberty Mutual Insurance Company

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

INGERSOLL-RAND COMPANY,

Plaintiff,

-against-

CNA INSURANCE COMPANY, AS  
SUCCESSOR TO CONTINENTAL  
CASUALTY COMPANY,

Defendant.

CONTINENTAL CASUALTY  
COMPANY

Third-Party Plaintiff,

-against-

AIU INSURANCE COMPANY, et al.,

Third-Party Defendants.

08 Civ. 03532 (NRB)

**NOTICE OF MOTION FOR  
ADMISSION PRO HAC VICE**

FILED  
JUL 11 2008  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Upon the annexed declaration of Adam Stein, executed on July 11, 2008, Liberty Mutual Insurance Company moves, pursuant to Rule 1.3(c) of the Local Civil Rules of this Court, that Matthew M. Burke and Gabrielle Viator, who are members in good standing of the bar of the Commonwealth of Massachusetts, and who are a partner and an associate of Ropes & Gray LLP,

be admitted pro hac vice for all purposes on behalf of Liberty Mutual Insurance Company in this action.

Dated: July 11, 2008

ROPES & GRAY LLP

By: 

Adam I. Stein

1211 Avenue of the Americas  
New York, NY 10036-8704  
Telephone: (212) 596-9000

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Liberty Mutual Insurance Company

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

INGERSOLL-RAND COMPANY,

Plaintiff,

-against-

CNA INSURANCE COMPANY, AS  
SUCCESSOR TO CONTINENTAL  
CASUALTY COMPANY,

Defendant.

08 Civ. 03532 (NRB)

**DECLARATION OF ADAM STEIN**

CONTINENTAL CASUALTY  
COMPANY

Third-Party Plaintiff,

-against-

AIU INSURANCE COMPANY, et al.,

Third-Party Defendants.

Adam Stein declares, pursuant to 28 U.S.C. § 1746, as follows:

1. I am a member in good standing of the bar of this Court and a member of Ropes & Gray LLP. I make this declaration in support of the motion by Liberty Mutual Insurance Company, pursuant to Rule 1.3(c) of the Local Civil Rules of this Court, that Matthew M. Burke

and Gabrielle Viator be admitted pro hac vice for all purposes on behalf of Liberty Mutual Insurance Company in this action.

2. Matthew M. Burke and Gabrielle Viator, who are a partner and an associate of Ropes & Gray LLP, are fully familiar with this action.

3. Matthew M. Burke and Gabrielle Viator are members in good standing of the bar of the Commonwealth of Massachusetts, as evidenced by the annexed certificates.

4. I respectfully request that Liberty Mutual Insurance Company's motion be granted in all respects. A proposed order is enclosed herewith.

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on July 11, 2008.

A handwritten signature in black ink, appearing to read 'Adam I. Stein', is written over a horizontal line.

Adam I. Stein

## COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on the **twentieth** day of **December** A.D. **1990**, said Court being the highest Court of Record in said Commonwealth:

Matthew M. Burke

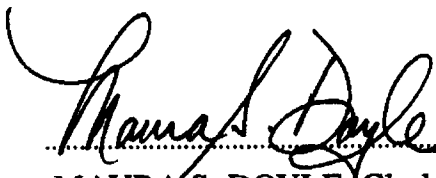
being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court\*.

In testimony whereof, I have hereunto set my hand and affixed the

seal of said Court, this **ninth** day of **July**

in the year of our Lord **two thousand and eight**.



  
MAURA S. DOYLE, Clerk

\* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.

## COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on the first day of December A.D. 2006, said Court being the highest Court of Record in said Commonwealth:

Gabrielle Viator

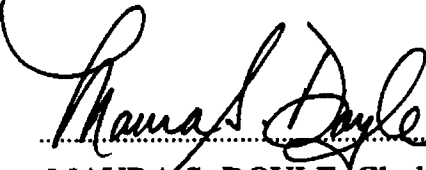
being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court\*.

In testimony whereof, I have hereunto set my hand and affixed the

seal of said Court, this ninth day of July

in the year of our Lord two thousand and eight.



  
MAURA S. DOYLE, Clerk

\* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

INGERSOLL-RAND COMPANY,

Plaintiff,

-against-

CNA INSURANCE COMPANY, AS  
SUCCESSOR TO CONTINENTAL  
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Defendant.

CONTINENTAL CASUALTY  
COMPANY

Third-Party Plaintiff,

-against-

AIU INSURANCE COMPANY, et al.,

Third-Party Defendants.

08 Civ. 03532 (NRB)

**ORDER GRANTING MOTION FOR  
ADMISSION PRO HAC VICE**

Upon the motion of third-party defendant Liberty Mutual Insurance Company pursuant to Rule 1.3(c) of the Local Rules of this Court, for an order admitting Matthew M. Burke and Gabrielle Viator pro hac vice for all purposes on behalf of Liberty Mutual Insurance Company in this action, and for good cause shown, it is hereby

ORDERED that the motion is GRANTED in all respects.

Dated: New York, New York  
July \_\_, 2008

\_\_\_\_\_  
United States District Judge

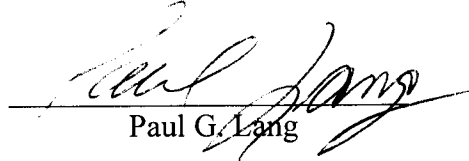
AFFIDAVIT OF SERVICE

STATE OF NEW YORK     )  
                                      : SS.:  
COUNTY OF NEW YORK    )

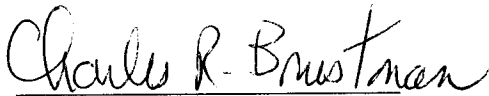
PAUL G. LANG, being duly sworn, deposes and says:

1. I am not a party to this action, am over 18 years of age, and reside at 2  
Dialstone Lane, Riverside, CT.

2. On July 11, 2008, I served the within Notice of Motion for Admission Pro Hac  
Vice upon the attorneys listed on the attached service list by depositing true copies thereof,  
enclosed in properly addressed postage paid sealed envelopes, into an official depository  
maintained by the United States Postal Service in the State of New York.

  
Paul G. Lang

Sworn to before me on  
July 11, 2008

  
Notary Public

**CHARLES R. BRUSTMAN**  
Notary Public, State of New York  
No. 01BR4799113  
Qualified in Nassau County  
Commission Expires June 21, 2011



SERVICE LIST

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